

## **REMARKS<sup>1</sup>**

In the outstanding Office Action, the Examiner rejected claims 8, 16, and 19 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,588,098 to Chen ("Chen"); and rejected claims 1, 4, 6, 9, 12, 14, 17, and 18 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,588,097 to Ono et al. ("Ono").

By this amendment, Applicants have amended claims 1, 4, 6, 8, 9, 12, 14, 15, and 16-19. Claims 1, 4, 6, 8, 9, 12, 14, 15, and 16-19 remain pending in this application

### **I. Rejection under 35 U.S.C. § 102(b)**

Applicants traverse the Examiner's rejection of claims 8, 16, and 19 under 35 U.S.C. § 102(b) as being anticipated by Chen. Chen cannot anticipate claims 8, 16, and 19 because Chen fails to disclose a three-dimensional object manipulating apparatus or method including "the three-dimensional object stops scaling up or down when the coordinate detecting means no longer detects a coordinate defined on the display screen by a user's physical touch on the display screen," as recited in amended claims 8, 16, and 19.

Chen discloses:

[i]f no face of the bounding box is hit by the ray (no intersection is found between the viewing ray and any visible face of the bounding box), which merely means the user moved the pointer to another area of the screen before pressing the mouse button, then in the preferred embodiment of the present invention the object is de-selected and the bounding box would disappear ("stop" at step 509). Chen, col. 12, lines 15-21.

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<sup>1</sup> The Office Action contains a number of statements reflecting characterizations of the related art and the claims. Regardless of whether any such statement is identified herein, Applicant declines to automatically subscribe to any statement of characterization in the Office Action.

That is, Chen discloses that manipulation of an object stops when a mouse pointer is moved to a different area of the screen. Chen, however, does not disclose that “the three-dimensional object stops scaling up or down when the coordinate detecting means no longer detects a coordinate defined on the display screen by a user’s physical touch on the display screen,” as recited in amended claims 8, 16, and 19. Accordingly, Chen fails to disclose each and every element recited in claims 8, 16, 19.

Chen fails to teach a three-dimensional object manipulating apparatus or method including “detecting a coordinate defined on the display,” and “determining ... whether the three-dimensional object is to be scaled down in a predetermined cycle on the basis of the coordinate detected,” as recited in claims 8, 16, and 19 (emphasis added).

In the Office Action, the Examiner asserts that Chen teaches this feature, stating: “[t]he system/method of Chen uses the input controller (15) (mouse, 2-D trackball, joystick, stylus, touch screen, touch tablet, etc.) for the manipulations on the screen [Fig. 1; col. 4, lines 30-40.” Office Action, page 2. Even if the Examiner’s assertion could be considered correct, Chen still fails to teach “detecting a coordinate defined on the display,” and “determining ... whether the three-dimensional object is to be scaled down in a predetermined cycle on the basis of the coordinate detected,” as recited in claims 8, 16, and 19, for at least the reasons presented below.

Chen discloses:

...two intersection points [are provided] in the plane [of] the bounding box and the object it contains are to be translated in: the original hitpoint that was stored in step 601 and the current hitpoint just now determined in step 607. Next the difference between these two hitpoints is calculated 609. This difference, which represents the amount of movement or translation the user has indicated via movement of the

mouse pointer, is then transferred into scaled ...  
coordinates. (col. 14, lines 39-47) (emphasis added).

Chen thus teaches selecting a point, and moving a pointer to at least a second point, wherein the difference or ratio between the two points determines the scaling of the object. Chen thus requires at least the selection of two points, that is two coordinates, and the movement therebetween. Applicants claimed invention, however, recites selecting “a coordinate,” and “determining ... whether the three-dimensional object is to be scaled down in a predetermined cycle on the basis of the coordinate detected,” as recited in claims 8, 16, and 19.

Accordingly, claims 8, 6, and 19 are allowable over Chen. Applicants therefore respectfully request that the Examiner withdraw the rejection of claims 8, 16, and 19 under 35 U.S.C. § 102(b).

## **II. Rejection under 35 U.S.C. § 103(a)**

Applicants respectfully traverse the rejection of claims 1, 4, 6, 9, 12, 14, 17, and 18 on the ground that a *prima facie* case of obviousness has not been established. A *prima facie* case of obviousness has not been established because Ono fails to teach or suggest “the three-dimensional object stops rotating when the coordinate detecting means no longer detects a coordinate defined on the display screen by a user’s physical touch on the display screen,” as recited in claim 1, and similarly recited in claims 4, 6, 9, 12, 14, 17, and 18.

Ono discloses:

[t]he use moves the pen 7 from the start point P2 in the direction of the desired rotation and then specifies another point P3 on the spherical surface 22, so that the angle  $P_2P_1P_3$  defines a rotation angle  $\alpha$  about the axis OP1 . . . [b]y

repeating the above operation, the user can rotate the object 21 in the desired direction (step 86). Upon completion of the input, the marker that was indicated at the first stage is erased, and the process is finished (step 87 and 88). Ono, col. 5, lines 35-48.

Ono thus discloses that the process of rotating the object 21 is completed upon completion of the input. Ono, however, fails to teach or suggest "the three-dimensional object stops rotating when the coordinate detecting means no longer detects a coordinate defined on the display screen by a user's physical touch on the display screen," as recited in claim 1, and similarly recited in claims 4, 6, 9, 12, 14, 17, and 18.

Because Ono fails to teach or suggest every feature of claims 1, 4, 6, 9, 12, 14, 17, and 18, a *prima facie* case of obviousness has not been established. Accordingly, Applicants respectfully request that the Examiner withdraw the rejection of claims 1, 4, 6, 9, 12, 14, 17, and 18 under 35 U.S.C. § 103(a).


In view of the foregoing remarks, Applicants submit that this claimed invention is neither anticipated nor rendered obvious in view of the references cited against this application. Applicants therefore request the Examiner's reconsideration of the application, and the timely allowance of the pending claims.

Please grant any additional extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

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